United Nations A/59/PV.76

General Assembly

Official Records

Fifty-ninth session

76th plenary meeting
Thursday, 23 December 2004, 4 p.m.
New York

President: Mr. Ping ..... (Gabon)

The meeting was called to order at 5.10 p.m.

Agenda item 38 (*continued*)

New Partnership for Africa's Development: progress in implementation and international support

(a) New Partnership for Africa's Development: progress in implementation and international support

Draft resolution (A/59/L.33/Rev.1)

(b) Causes of conflict and the promotion of peace and sustainable development in Africa

Draft resolution (A/59/L.50/Rev.1)

The President (*spoke in French*): Members will recall that the General Assembly held its debate on agenda item 38 and sub-items (a) and (b), jointly with agenda item 46, at the 33rd to 36th plenary meetings, held on 18 and 19 October 2004.

I call on the representative of the Secretariat.

Ms. Kelley: I have been asked to make some corrections to the English text of draft resolution A/59/L.33/Rev.1, which have been necessitated due to editing errors.

In the third preambular paragraph, the word "and" should replace the second appearance of the words "bearing in mind".

In paragraph 4, the words "process of its" should be deleted, and the words "of NEPAD" should be added to the end of the paragraph.

In paragraph 6, the word "deepen" should replace "strengthen".

In paragraph 13, "and" should be added before the phrase "in this regard", and the word "the" preceding the word "progress" should be deleted.

In paragraph 14, a comma should be inserted after "including", followed by the words "inter alia" and a comma.

In paragraph 27, the words "the entities of" should be deleted.

In paragraph 29, the phrase "to further strengthen" should read "to strengthen further".

Finally, in operative paragraph 35, the word "including" after "New Partnership" should be replaced by the words "such as".

The President (*spoke in French*): I now call on the representative of Qatar to introduce draft resolution A/59/L.33/Rev.1, as orally corrected, and draft resolution A/59/L.50/Rev.1.

Mr. Al-Mahmoud (Qatar) (*spoke in Arabic*): On behalf of the Group of 77 and China, I have the honour to introduce to the General Assembly draft resolution A/59/L.33/Rev.1, entitled "New Partnership for Africa's Development: progress in implementation and international support", as orally corrected. The draft

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resolution was arrived at through a consensus process and has the sponsorship of numerous countries.

Africa faces serious challenges. Meeting them requires collective action by both African countries and the international community. The adoption of the New Partnership for Africa's Development (NEPAD) by the African Union in 2001 as an initiative owned and led by the continent and the General Assembly's subsequent endorsement of it as the framework for international support to Africa illustrate the resolve that exists to address the daunting challenges facing Africa. NEPAD offers great hope, which — if matched with the requisite political will and commitment — will enable Africa to claim the twenty-first century as its own.

The main purpose of draft resolution A/59/L.33/Rev.1 is to keep the spotlight on the efforts of African countries and to underscore the ongoing need for international support to complement those endeavours. In the past year, African countries have taken concrete steps to implement NEPAD through the development of sectoral policy frameworks, the design of specific projects and the establishment of expenditure targets in NEPAD priority areas. Those efforts require enabling national and international environments conducive to growth and development, with the participation of numerous stakeholders. Furthermore, it is important to keep Africa's particular circumstances in mind as the countdown to the 2005 major event begins. Accordingly, the draft resolution highlights areas of progress and need.

I take this opportunity to extend my thanks to all delegations for their cooperation and support during the informal consultations on the draft resolution. I should like in particular to thank Mr. Abdellah Benmellouk of Morocco for his tireless efforts as facilitator of the draft resolution. Without his support, it would have been impossible to reach consensus on the draft resolution. In that regard, I should like to inform delegations — other than those of the Group of 77 and China — that may still wish to sponsor the draft resolution that they can do so from the floor before its adoption.

On behalf of the Group of 77 and China and the other sponsors, I am pleased to introduce draft resolution A/59/L.33/Rev.1, as orally corrected, for adoption as a consensus text. Finally, I wish to announce that Austria, Belgium, Denmark, Germany, Ireland, Japan, Lithuania, Luxembourg, Portugal, Slovenia, Turkey, Ukraine and the United States have joined in sponsoring the draft resolution.

On behalf of the Group of 77 and China, I wish also to introduce draft resolution A/59/L.50/Rev.1, entitled "Implementation of the recommendations contained in the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa".

The draft resolution was formulated in a consensus process. It takes note of the significant progress made in the prevention, mediation and resolution of conflicts, while recognizing that much remains to be done, especially with regard to emerging trends that could undermine the gains achieved in the consolidation of peace and sustainable development. The draft resolution welcomes the establishment by the African Union of its Peace and Security Council and looks forward to the establishment of other elements. It also welcomes the contributions of the United Nations system, development partners and other relevant stakeholders in conflict prevention, management and resolution in Africa.

The consensus achieved is due in part to the skills of the facilitator, Felipe Costa, who gave his very best during the informal negotiations. Moreover, the flexibility and cooperation demonstrated by all delegations resulted in consensus after the second reading of the original draft text. We sincerely hope that that same spirit will prevail in 2005. I therefore thank all colleagues who participated in the informal consultations for their cooperation and support.

Having introduced draft resolution A/59/L.50/Rev.1 on behalf of the Group of 77 and China, I hope that the General Assembly will adopt it by consensus. I wish also to announce that Germany, Italy, the Netherlands, Portugal, Slovenia and Turkey have joined in sponsoring the draft resolution.

The President (*spoke in French*): I should like to consult the Assembly with a view to proceeding immediately to consider the revised draft resolution contained in document A/59/L.33/Rev.1, as orally corrected.

In that connection, since the revised draft resolution has been circulated only today, it would be necessary to waive the relevant provision of rule 78 of the rules of procedure, which reads as follows:

"As a general rule, no proposal shall be discussed or put to the vote at any meeting of the General Assembly unless copies of it have been circulated to all delegations not later than the day preceding the meeting."

Unless I hear any objections, I shall take it that the Assembly agrees to that proposal.

It was so decided.

The President (*spoke in French*): The General Assembly will now proceed to consider draft resolutions A/59/L.33/Rev.1, as orally corrected, and A/59/L.50/Rev.1.

The Assembly will turn first to draft resolution A/59/L.33/Rev.1, as orally corrected, entitled "New Partnership for Africa's Development: progress in implementation and international support".

May I take it that the Assembly decides to adopt draft resolution A/59/L.33/Rev.1?

Draft resolution A/59/L.33/Rev.1, as orally corrected, was adopted (resolution 59/254).

The President (*spoke in French*): The Assembly will now take a decision on draft resolution A/59/L.50/Rev.1, entitled "Implementation of the recommendations contained in the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa".

May I take it that the Assembly decides to adopt draft resolution A/59/L.50/Rev.1?

Draft resolution A/59/L.50/Rev.1 was adopted (resolution 59/255).

The President (*spoke in French*): May I take it that the General Assembly wishes to conclude its consideration of sub-items (a) and (b) of agenda item 38 and of agenda item 38 as a whole?

It was so decided.

Agenda item 41 (*continued*)

The role of the United Nations in promoting a new global human order

The President (*spoke in French*): Members will recall that the Assembly held its debate on this agenda item, jointly with agenda item 12, at its 41st plenary meeting, held on 26 October 2004.

It is my understanding that it would be desirable to defer consideration of this item to the sixty-first session of the General Assembly. May I take it that it is the wish of the General Assembly to defer consideration of this item and to include it in the provisional agenda of the sixty-first session?

It was so decided.

The President (*spoke in French*): We have thus concluded our consideration of agenda item 41.

Agenda item 46 (*continued*)

2001-2010: Decade to Roll Back Malaria in Developing Countries, Particularly in Africa

Draft resolution (A/59/L.56)

The President (*spoke in French*): Members will recall that the General Assembly held the debate on agenda item 46, jointly with sub-items (a) and (b) of agenda item 38, at its 33rd to 36th plenary meetings on 18 and 19 October 2004.

I call on the representative of the United Republic of Tanzania to introduce draft resolution A/59/L.56 on behalf of the African Union.

Mrs. Kafanabo (United Republic of Tanzania): On behalf of the African Union and all sponsors, the United Republic of Tanzania has the honour to introduce, under agenda item 46, the draft resolution entitled "2001-2010: Decade to Roll Back Malaria in Developing Countries, Particularly in Africa", as contained in document A/59/L.56.

In addition to the sponsors listed in the document, the following have joined the list of sponsors: Algeria, Azerbaijan, Burkina Faso, Cape Verde, China, Cuba, Djibouti, Dominica, Finland, France, Gabon, Germany, Guatemala, Ireland, Italy, Japan, Kenya, Luxembourg, Mauritius, Mozambique, Namibia, the Netherlands, Portugal, Saint Vincent and the Grenadines, Slovakia, Slovenia, Timor-Leste, Tunisia, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Zimbabwe.

Africa bears an overwhelming proportion of the malaria burden. Statistics from the World Health Organization show that malaria is Africa's leading cause of under-five mortality and an important cause of anaemia and other malarial complications in pregnant women, constitutes 10 per cent of the continent's overall disease burden, and accounts for 40 per cent of public health expenditure.

Malaria is, however, a disease that is preventable, treatable and curable. It is thus in the effort to combat malaria, as well as to implement Millennium Development Goal Six, that the African Union is introducing the draft resolution entitled "2001-2010: Decade to Roll Back Malaria in Developing Countries, Particularly in Africa".

In its preambular part, the draft resolution takes note of the declarations and decisions on malaria adopted by the Organization of African Unity, in particular the declaration and plan of action on the "Roll Back Malaria" initiative adopted at the Extraordinary Summit of Heads of State and Government of the Organization of African Unity, held in Abuja on 24 and 25 April 2000, and the Maputo Declaration on Malaria, HIV/AIDS, Tuberculosis and Other Related Infectious Diseases, adopted by the Assembly of the African Union at its second ordinary session, held in Maputo from 10 to 12 July 2003. In addition, the draft resolution recognizes the efforts being made to reach the targets set in the Abuja Summit as necessary and important for the attainment of the "Roll Back Malaria" goal and the targets of the United Nations Millennium Declaration.

In the operative part, the draft resolution takes note of the Secretary-General's report contained in document A/59/261 and calls for support of the recommendations contained therein. It also calls upon the international community to continue to support the "Roll Back Malaria" partner organizations and appeals to them to ensure increased support for bilateral and multilateral assistance to combat malaria, including support for the Global Fund to fight AIDS, Tuberculosis and Malaria. The draft resolution expresses concern about the resistant strains of malaria and urges the adoption of measures to combat that resistance.

My delegation wishes to thank all member States that participated in the discussion of the draft resolution. Their contributions have resulted in this important draft resolution, the implementation of which will facilitate the eradication of that deadly disease.

My delegation, introducing the draft resolution on 2001-2010: Decade to Roll Back Malaria in Developing Countries, Particularly in Africa, hopes that, as in previous years, it will be adopted by consensus.

The President (*spoke in French*): We shall now proceed to consider draft resolution A/59/L.56.

I wish to indicate that, since the submission of the draft resolution, the following countries have been added to the list of sponsors: Bolivia, Cameroon, Madagascar and Mali.

May I take it that the General Assembly decides to adopt draft resolution A/59/L.56?

Draft resolution A/59/L.56 was adopted (resolution 59/256).

The President (*spoke in French*): May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 46?

It was so decided.

Agenda item 56 (*continued*)

Cooperation between the United Nations and regional and other organizations:

(d) Cooperation between the United Nations and the Black Sea Economic Cooperation Organization

Draft resolution (A/59/L.57)

(k) Cooperation between the United Nations and the Latin American Economic System

Draft resolution (A/59/L.55)

(o) Cooperation between the United Nations and the Organization of American States

Draft resolution (A/59/L.41/Rev.1)

The President (*spoke in French*): Members will recall that the Assembly held its debate on agenda item 56 and its sub-items (a) to (t) at its 38th to 40th plenary meetings on 21 and 22 October 2004.

I call on the representative of Panama to introduce draft resolutions A/59/L.41/Rev.1 and A/59/L.55.

Mr. Tejeira (Panama) (*spoke in Spanish*): It is an honour for the delegation of Panama to introduce, on behalf of the sponsors, the draft resolutions contained in documents A/59/L.41/Rev.1 and A/59/L.55, entitled "Cooperation between the United Nations and the Organization of American States" and "Cooperation between the United Nations and the Latin American Economic System", respectively. Panama is introducing draft resolution A/59/L.41/Rev.1 in its capacity as Chairman of the Permanent Council of the Organization of American States. The draft resolution underscores and acknowledges the important role played by both organizations in seeking to promote social progress, improve standards of living of peoples, particularly in developing countries, and promote the protection of human rights and fundamental freedoms.

In addition to the countries listed in document A/59/L.41/Rev.1, the delegations of the Bahamas, Dominica and Spain have joined the list of sponsors.

Panama, in its capacity as December's Chairman of the Group of Latin American and Caribbean States, wishes now to introduce draft resolution A/59/L.55, entitled "Cooperation between the United Nations and the Latin American Economic System".

I wish at the outset to note two revisions to the draft resolution. In paragraph 1, the word "Welcomes" should be replaced with the words "Takes note of". And in paragraph 4, the words "including the Millennium Goals" are to be replaced with the words "including those contained in the Millennium Declaration".

The draft resolution bears in mind the Agreement between the United Nations and the Latin American Economic System, in which the parties agree to strengthen and expand their cooperation in matters that are of common concern in the fields of their respective competence pursuant to their constitutional instruments.

On behalf of the sponsors of draft resolutions A/59/L.41/Rev.1 and A/59/L.55, we hope that, as has been the case with similar texts in previous years, the General Assembly will adopt both draft resolutions by consensus.

The President (*spoke in French*): The General Assembly will now proceed to consider draft resolutions A/59/L.41/Rev.1, A/59/L.55, as orally revised, and A/59/L.57.

We will first take a decision on draft resolution A/59/L.41/Rev.1, entitled "Cooperation between the United Nations and the Organization of American States". Before the Assembly takes a decision on the draft resolution, I wish to indicate that since the introduction of draft resolution A/59/L.41/Rev.1 Grenada has joined the list of sponsors.

May I take it that the Assembly decides to adopt draft resolution A/59/L.41/Rev.1?

Draft resolution A/59/L.41/Rev.1 was adopted (resolution 59/257).

The President (*spoke in French*): We turn next to draft resolution A/59/L.55, entitled "Cooperation between the United Nations and the Latin American Economic System", as orally revised.

May I take it that the Assembly decides to adopt draft resolution A/59/L.55, as orally revised?

Draft resolution A/59/L.55, as orally revised, was adopted (resolution 59/258).

The President (*spoke in French*): Draft resolution A/59/L.57 is entitled "Cooperation between the United Nations and the Black Sea Economic Cooperation Organization".

May I take it that the Assembly decides to adopt draft resolution A/59/L.57?

Draft resolution A/59/L.57 was adopted (resolution 59/259).

The President (*spoke in French*): May I take it that it is the wish of the General Assembly to conclude its consideration of sub-items (d), (k) and (o) of agenda item 56?

It was so decided.

The President (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 56.

Reports of the First Committee, Special Political and Decolonization Committee (Fourth Committee), Third Committee, Fifth Committee and Sixth Committee

The President (*spoke in French*): The General Assembly will now take up the reports of five Main Committees as follows: the report of the First Committee on agenda item 109; the report of the Special Political and Decolonization Committee (Fourth Committee) on agenda item 109; the reports of the Third Committee on agenda items 98, 101, sub-items (a) and (c) of agenda item 105 and 109, the report of the Sixth Committee on agenda item 150, as well as the reports of the Fifth Committee on agenda items 106, 111 to 119, 121, 122, 109, 108 and 107.

If there is no proposal under rule 66 of the rules of procedure, I shall take it that the Assembly decides not to discuss the reports of the First Committee, the Special Political and Decolonization Committee (Fourth Committee), the Third Committee, the Fifth Committee and the Sixth Committee which are before the Assembly today.

It was so decided.

The President (*spoke in French*): Statements will therefore be limited to explanations of vote or position. The positions of delegations regarding the recommendations of those five Main Committees have

been made clear in the Committees and are reflected in the relevant official records. May I remind members that under paragraph 7 of decision 34/401, the General Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, i.e., either in the Committee or in plenary meeting unless that delegation's vote in plenary meeting is different from its vote in the Committee."

May I further remind delegations that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the First Committee, the Special Political and Decolonization Committee (Fourth Committee), the Third Committee, the Fifth Committee and the Sixth Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Committees unless the Secretariat is notified otherwise in advance.

This means that where a recorded or separate vote was taken, we will do the same. I would also hope that we may proceed to adopt without a vote those recommendations that were adopted without a vote in the respective Committees.

Agenda item 109 (*continued*)

Programme planning

Report of the First Committee (A/59/618)

The President (*spoke in French*): May I take it that the General Assembly wishes to take note of the report of the First Committee?

It was so decided.

The President (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 109.

The General Assembly has thus concluded its consideration of all the reports of the First Committee.

Agenda item 109 (*continued*)

Programme planning

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/59/621)

The President (*spoke in French*): May I take it that the Assembly wishes to take note of the report of the Special Political and Decolonization Committee (Fourth Committee)?

It was so decided.

The President (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 109.

The General Assembly has thus concluded its consideration of all the reports of the Special Political and Decolonization Committee (Fourth Committee).

Agenda item 98 (*continued*)

Advancement of women

Report of the Third Committee (A/59/496)

Report of the Fifth Committee (A/59/641)

The President (*spoke in French*): The Assembly will take action on draft resolution III recommended by the Third Committee in paragraph 27 of its report.

The report of the Fifth Committee on the programme budget implications of draft resolution III is contained in document A/59/641. Draft resolution III is entitled "Future operation of the "International Research and Training Institute for the Advancement of Women".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Democratic People's Republic of Korea,

Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Fiji, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Italy, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Australia, Canada, Denmark, Finland, Japan, Latvia, New Zealand, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Albania, Austria, Belgium, Bulgaria, Croatia, Czech Republic, Estonia, France, Georgia, Germany, Hungary, Iceland, Ireland, Israel, Liechtenstein, Lithuania, Luxembourg, Netherlands, Norway, Poland, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Slovenia, Switzerland, Turkey, Ukraine, Uzbekistan

Draft resolution III was adopted by 125 votes to 10, with 30 abstentions (resolution 59/260).

[Subsequently, the delegation of Greece advised the Secretariat that it had intended to vote in favour.]

The President (*spoke in French*): May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 98?

It was so decided.

Agenda item 101 (*continued*)

Promotion and protection of the rights of children

Report of the Third Committee (A/59/499)

Report of the Fifth Committee (A/59/642)

The President (*spoke in French*): The Assembly will take action on draft resolution II recommended by the Third Committee in paragraph 35 of its report.

The report of the Fifth Committee on the programme budget implications of draft resolution II is contained in document A/59/642.

I call on the representative of the United States, who wishes to speak on explanation of vote before the voting.

Mr. Kennedy (United States of America): The United States would like to bring to the attention of the General Assembly the amendments submitted by our delegation to draft resolution II, on the rights of the child, during its consideration by the Third Committee (see A/59/499, para. 16). We are not going to resubmit those amendments in plenary meeting, but we would like to state that our position has not changed. The United States wishes to underscore our concerns with regard to the phrasing in this draft resolution of references to the International Criminal Court, the Convention on the Rights of the Child and the juvenile death penalty, among other provisions.

The President (*spoke in French*): Draft resolution II is entitled: "Rights of the child".

Separate votes have been requested on operative paragraph 9, operative paragraph 23 (b) and on the words "corporal punishment" in operative paragraph 38 (b) of draft resolution II.

In the absence of objection, I will first put to the vote operative paragraph 9 of draft resolution II, on which a separate vote has been requested.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Central African Republic, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Guinea, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Kazakhstan, Kenya, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, San Marino, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Zambia, Zimbabwe

Against:

Bahrain, Bangladesh, Comoros, Djibouti, Egypt, Ghana, India, Iran (Islamic Republic of), Japan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Morocco, Niger, Oman, Qatar, Saudi Arabia, Singapore, Sri Lanka, Sudan, Syrian Arab Republic, Turkmenistan, United Arab Emirates, United States of America, Viet Nam, Yemen

Abstaining:

Algeria, Antigua and Barbuda, Barbados, Belarus, Brunei Darussalam, Jordan, Malaysia, Myanmar, Nigeria, Pakistan, Sierra Leone, Uganda

Operative paragraph 9 of draft resolution II was retained by 110 votes to 26, with 12 abstentions.

The President (*spoke in French*): I shall now put to the vote operative paragraph 23 (b) of draft resolution II, on which a separate vote has been requested.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Honduras, Hungary, Iceland, Indonesia, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, San Marino, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Zambia, Zimbabwe

Against:

Malaysia, Singapore, United Republic of Tanzania, United States of America

Abstaining:

Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Bhutan, Brunei Darussalam, Comoros, Djibouti, Dominica, Guyana, India, Iran (Islamic Republic of), Israel, Kuwait, Myanmar, Niger, Nigeria, Oman, Pakistan, Qatar, Republic of Korea, Saint Lucia, Saudi Arabia, Sierra Leone, Somalia, Sri Lanka, Sudan, Trinidad and Tobago, Turkmenistan, Uganda, United Arab Emirates, Yemen

Operative paragraph 23 (b) of draft resolution II was retained by 116 votes to 4, with 33 abstentions.

The President (*spoke in French*): I shall next put to the vote the words "corporal punishment" in operative paragraph 38 (b) of draft resolution II, on which a separate vote has been requested.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, San Marino, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Zambia, Zimbabwe

Against:

Malaysia, Singapore, United Republic of Tanzania

Abstaining:

Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Bhutan, Brunei Darussalam, Comoros, Congo, Djibouti, Dominica, Guyana, India, Iran (Islamic Republic of), Kuwait, Lao People's Democratic Republic, Myanmar, Nigeria, Oman, Pakistan, Papua New Guinea, Qatar, Saint Lucia, Saudi Arabia, Sierra Leone, Somalia, Sri Lanka, Sudan, Suriname, Trinidad and Tobago, Uganda, United Arab Emirates, Yemen

The words "corporal punishment" in operative paragraph 38 (b) of draft resolution II were retained by 115 votes to 3, with 34 abstentions.

The President (*spoke in French*): I now put to the vote draft resolution II, as a whole.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad

and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:
Marshall Islands, United States of America

Abstaining:
India

Draft resolution II as a whole was adopted by 166 votes to 2, with 1 abstention (resolution 59/261).

The President (*spoke in French*): May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 101?

It was so decided.

Agenda item 105 (*continued*)

Human rights questions

(a) Implementation of human rights instruments

Report of the Third Committee (A/59/503/Add.1)

Report of the Fifth Committee (A/59/639)

The President (*spoke in French*): The General Assembly will take action on draft resolution I, recommended by the Third Committee in paragraph 20 of its report.

The report of the Fifth Committee on the programme budget implications of draft resolution I is contained in document A/59/639.

The Third Committee adopted draft resolution I, entitled "International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families", without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 59/262).

The President (*spoke in French*): May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (a) of agenda item 105?

It was so decided.

(c) Human rights situations and reports of special rapporteurs and representatives

Report of the Third Committee (A/59/503/Add.3)

Report of the Fifth Committee (A/59/640)

The President (*spoke in French*): The General Assembly will now take action on draft resolution I, recommended by the Third Committee in paragraph 60 of its report.

The report of the Fifth Committee on the programme budget implications of draft resolution I is contained in document A/59/640.

The Third Committee adopted draft resolution I, entitled "Situation of human rights in Myanmar", without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 59/263).

The President (*spoke in French*): I give the floor to the representative of Myanmar, who wishes to speak in explanation of position on the resolution just adopted.

Mr. Tun (Myanmar): For reasons that my delegation explained extensively in the Third Committee, my delegation dissociates itself from resolution 59/263.

The President (*spoke in French*): May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (c) of agenda item 105?

It was so decided.

Agenda item 109

Programme planning (*continued*)

Report of the Third Committee (A/59/609)

The President (*spoke in French*): May I take it that the General Assembly wishes to take note of the report of the Third Committee?

It was so decided.

The President (*spoke in French*): The General Assembly has thus concluded this stage of its consideration of agenda item 109.

The General Assembly has thus concluded this stage of its consideration of all the reports of the Third Committee.

Agenda item 150

International convention against the reproductive cloning of human beings

Report of the Sixth Committee (A/59/516)

Report of the Fifth Committee (A/59/638)

The President (*spoke in French*): The Assembly has before it a draft decision recommended by the Sixth Committee in paragraph 11 of its report.

The report of the Fifth Committee on the programme budget implications of the draft decision is contained in document A/59/638.

We will now take action on the draft decision, entitled "Working Group to finalize the text of a United Nations declaration on human cloning".

The Sixth Committee adopted the draft decision without a vote. May I take it that the Assembly wishes to do the same?

The draft decision was adopted.

The President (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 150.

The General Assembly has also thus concluded its consideration of all the reports of the Sixth Committee.

Reports of the Fifth Committee

The President (*spoke in French*): The General Assembly will consider the reports of the Fifth Committee on agenda items 106, 111 to 119, 121, 122, 109, 108 and 107.

I request the Rapporteur of the Fifth Committee, Mrs. Denisa Hutănová of Slovakia, to introduce in one intervention the reports of the Fifth Committee.

Mrs. Hutănová (Slovakia), Rapporteur of the Fifth Committee: Today I have the honour to present to the General Assembly the reports of the Fifth Committee containing recommendations on issues that require action during the main part of the fifty-ninth regular session of the General Assembly.

The Fifth Committee met on 30 September and from 4 October to 22 December 2004, and it held 33 plenary meetings and more than 100 rounds of informal consultations — and innumerable "informal informal" consultations held outside Conference Room 5.

In paragraph 7 of its report on agenda item 106, "Financial reports and audited financial statements, and reports of the Board of Auditors", contained in document A/59/588, the Committee recommends to the General Assembly the adoption of a draft resolution, which the Committee adopted without a vote.

In paragraph 6 of its report on agenda item 111, "Administrative and budgetary coordination of the United Nations with the specialized agencies and the International Atomic Energy Agency", contained in document A/59/605, the Committee recommends to the General Assembly the adoption of a draft decision, which it adopted without a vote.

In paragraph 6 of its report on agenda item 112, "Pattern of conferences", contained in document A/59/644, the Committee recommends to the General Assembly the adoption of a draft resolution, which it adopted without a vote.

In paragraph 6 of its report on agenda item 113, "Scale of assessments for the apportionment of the expenses of the United Nations", contained in document A/59/421/Add.1, the Committee recommends to the General Assembly the adoption of a draft resolution, which it adopted without a vote.

In paragraph 7 of its report on agenda item 114, "Human resources management", contained in document A/59/650, the Committee recommends to the General Assembly the adoption of a draft resolution, which it adopted without a vote.

In paragraph 8 of its report on agenda item 115, "Joint Inspection Unit", contained in document A/59/646, the Committee recommends to the General Assembly the adoption of a draft resolution, which it adopted without a vote.

In paragraph 9 of its report on agenda item 116, "United Nations common system", contained in document A/59/647, the Committee recommends to the General Assembly the adoption of a draft resolution, which it adopted without a vote. I should like to announce a correction to the draft resolution: in paragraph 5 of section A, the words "strategy on pilot projects" should read "strategy or pilot project".

In paragraph 8 of its report on agenda item 117, "United Nations pension system", contained in document A/59/606, the Committee recommends to the General Assembly the adoption of a draft resolution, which it adopted without a vote.

In paragraph 7 of its report on agenda item 118, "Report of the Secretary-General on the activities of the Office of Internal Oversight Services", contained in document A/59/648, the Committee recommends to the General Assembly the adoption of two draft resolutions, which it adopted without a vote.

In paragraph 5 of its report on agenda item 119, "Review of the implementation of General Assembly resolutions 48/218 B and 54/244", contained in document A/59/649, the Committee recommends to the General Assembly the adoption of a draft resolution, which it adopted without a vote.

The reports of the Fifth Committee on agenda item 121, "Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994", and on agenda item 122, "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia", are contained in documents A/59/603 and A/59/604 respectively. In paragraph 6 of each of those reports, the Committee recommends to the General Assembly the adoption of a draft resolution, which it adopted without a vote.

In paragraph 9 of its report on agenda item 109, "Programme planning", contained in A/59/651, the Committee recommends to the General Assembly the adoption of a draft resolution, which it adopted without a vote.

In paragraphs 41 and 44 of its report on agenda item 108, Programme budget for the biennium 2004-2005, contained in document A/59/448/Add.2, the Fifth Committee recommends to the General Assembly the adoption of two draft resolutions and two draft decisions. Draft resolution I relates to questions relating to the programme budget for the biennium 2004-2005, and draft resolution II relates to revised budget appropriations for the biennium 2004-2005, revised income estimates for the biennium 2004-2005 and financing of the appropriations for the year 2005. Draft decision I deals with programme budget implications of recommendations contained in the report of the Committee for Programme and Coordination, and draft decision II relates to revised estimates and programme budget implications: effects of changes in rates of exchange and inflation. All those draft proposals were adopted by the Committee without a vote. Also under agenda item 108, the Committee considered six statements on programme budget implications. The reports of the Fifth Committee on each of those statements are contained in documents A/59/638 to A/59/642.

In paragraph 9 of its report on agenda item 107, "Review of the efficiency of the administrative and financial functioning of the United Nations", contained in document A/59/652, the Committee recommends to the General Assembly the adoption of a draft resolution on the proposed programme budget outline for the biennium 2006-2007, by which the Assembly would invite the Secretary-General to prepare his proposed programme budget for the biennium 2006-2007 on the basis of a preliminary estimate of $3,621,900,000 at revised 2004-2005 rates. It would also decide that the contingency fund shall be set at the level of 0.75 per cent of the preliminary estimate, namely, at $27.2 million. Also, in paragraph 10 of the same report, the Committee recommends to the General Assembly the adoption of a draft decision relating to questions deferred for future consideration. Both draft proposals were adopted by the Committee without a vote.

I wish to thank delegations for their cooperation and to assure them that the changes made during the Fifth Committee's 33rd formal meeting, held yesterday afternoon, have been duly taken into account and are reflected in the reports which are before the Assembly this afternoon.

Before I conclude, allow me on a brief personal note to thank the Chairman of the Fifth Committee, Ambassador Don MacKay, for the noble way in which he guided us through our difficult work. My thanks go also to my fellow Bureau members. Working with them is always a truly enjoyable experience. On behalf of all of us, I would like to record our profound thanks to the representatives of the Secretariat for their tireless patience and support, and especially to the secretariat of the Fifth Committee, Mr. Moses Abelian and Mrs. Nora Benary and their staff. And last but not least, many thanks go to Mr. Vladimir Kuznetsov, Chairman of the Advisory Committee on Administrative and Budgetary Questions. I would like to thank all those I have had the privilege and honour to be seated next to on the podium of Conference Room 3 for their pleasant company. I wish everyone wonderful holidays.

The President (*spoke in French*): If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Fifth Committee that are before it today.

It was so decided.

The President (*spoke in French*): Statements will therefore be limited to explanations of vote or position.

The positions of delegations regarding the recommendations of the Committee have been made in the Committee and are reflected in the relevant official records. May I remind members that under paragraph 7 of decision 34/401 the Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, i.e., either in the Committee or in plenary meeting unless that delegation's vote in plenary meeting is different from its vote in the Committee."

May I also remind delegations that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Fifth Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Committee.

Agenda item 106

Financial reports and audited financial statements, and reports of the Board of Auditors

Report of the Fifth Committee (A/59/588)

The President (*spoke in French*): The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 7 of its report. The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

*The draft resolution was adopted (*resolution 59/264*).*

The President (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 106.

Agenda item 111

Administrative and budgetary coordination of the United Nations with the specialized agencies and the International Atomic Energy Agency

Report of the Fifth Committee (A/59/605)

The President (*spoke in French*): The Assembly has before it a draft decision recommended by the Fifth Committee in paragraph 6 of its report. We will now take action on the draft decision, entitled "Budgetary and financial situation of the organizations of the United Nations system". The Fifth Committee adopted the draft decision without a vote. May I take it that the Assembly wishes to do likewise?

The draft decision was adopted.

The President (*spoke in French*): The General Assembly has thus concluded this stage of its consideration of agenda item 111.

Agenda item 112

Pattern of conferences

Report of the Fifth Committee (A/59/644)

The President (*spoke in French*): The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

*The draft resolution was adopted (*resolution 59/265*).*

The President (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 112.

Agenda item 113 (*continued*)

Scale of assessments for the apportionment of the expenses of the United Nations

Report of the Fifth Committee (A/59/421/Add.1)

The President (*spoke in French*): The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

*The draft resolution was adopted (*resolution 59/266*).*

The President (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 113.

Agenda item 114

Human resources management

Report of the Fifth Committee (A/59/650)

The President (*spoke in French*): The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 7 of its report. The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 59/267).

The President (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 114.

Agenda item 115

Joint Inspection Unit

Report of the Fifth Committee (A/59/646)

The President (*spoke in French*): The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 8 of its report.

We will now take a decision on the draft resolution entitled "Reports of the Joint Inspection Unit". The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 59/268).

The President (*spoke in French*): The General Assembly has thus concluded this stage of its consideration of agenda item 115.

Agenda item 116

United Nations common system

Report of the Fifth Committee (A/59/647)

The President (*spoke in French*): The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 9 of its report. We will now take a decision on the draft resolution entitled "United Nations common system: report of the International Civil Service Commission", as orally corrected. The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly too wishes to adopt the draft resolution, as orally corrected?

The draft resolution, as orally corrected, was adopted (resolution 59/269).

The President (*spoke in French*): The General Assembly has thus concluded this stage of its consideration of agenda item 116.

Agenda item 117

United Nations pension system

Report of the Fifth Committee (A/59/606)

The President (*spoke in French*): The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 8 of its report. The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 59/270).

The President (*spoke in French*): The General Assembly has thus concluded this stage of its consideration of agenda item 117.

Agenda item 118

Report of the Secretary-General on the activities of the Office of Internal Oversight Services

Report of the Fifth Committee (A/59/648)

The President (*spoke in French*): The Assembly has before it two draft resolutions recommended by the Fifth Committee in paragraph 7 of its report.

Draft resolution I is entitled "Reports of the Secretary-General on the activities of the Office of Internal Oversight Services". The Fifth Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 59/271).

The President (*spoke in French*): Draft resolution II is entitled "Report of the Secretary-General on the activities of the Office of Internal Oversight Services".

The Fifth Committee adopted draft resolution II without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution II was adopted (*resolution 59/272*).*

The President (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 118.

Agenda item 119

Review of the implementation of General Assembly resolutions 48/218 B and 54/244

Report of the Fifth Committee (A/59/649)

The President (*spoke in French*): The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 5 of its report. The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

*The draft resolution was adopted (*resolution 59/273*).*

The President (*spoke in French*): I now give the floor to the representatives wishing to speak in explanation of position on the decisions just taken.

Ms. Goicochea Estenoz (Cuba) (*spoke in Spanish*): My delegation wishes to explain its position on the draft resolutions adopted under agenda items 118 and 119.

First, the delegation of Cuba attaches great importance to the work of the Office of Internal Oversight Services, a United Nations structure responsible for monitoring, audit, investigation, evaluation and inspection services. In that connection, we reiterate that the work of the Office must be fully in accordance with its mandate under resolutions 48/218 B and 54/244.

Secondly, the delegation of Cuba reaffirms the General Assembly's prerogative to consider and take action on all reports submitted to it, including the relevant reports of the Office of Internal Oversight Services. We do not believe that this restricts the role of the Office, but rather reinforces its authority, because such consideration gives Member States an opportunity to voice their opinions on the recommendations of the Office. Similarly, when formulating its recommendations, the Office must fully respect the prerogatives of the General Assembly with regard to the adoption, modification and abolition of mandates.

Our delegation wishes to reaffirm that we have participated in the process of negotiating and adopting these resolutions, reflecting our serious-mindedness, commitment and respect for the negotiating process and for other delegations. It is not our practice to employ double standards in our work. We have too much self-respect for that. We similarly respect our colleagues. We therefore firmly reject statements levelled at us during formal meetings of the Fifth Committee, seeking to accuse my delegation of a lack of transparency in the negotiating process on these resolutions.

Our Fifth Committee colleagues are very well aware of the Cuban delegation's transparency, responsibility and earnestness. They also know our commitment to the purposes and principles of the United Nations Charter, including respect for sovereignty. In that connection, I would note that, as it participates in these processes, my delegation reaffirms its sovereign right to defend its positions, while acting with the flexibility needed to make it possible to adopt draft resolutions.

Here, my delegation wishes to reaffirm its thanks to and its support for the Bureau of the Fifth Committee, and the coordinator on these items; it was through their collective work that we were able to adopt these resolutions.

Mr. Zellenrath (Netherlands): I have the honour to speak on behalf of the European Union. Switzerland aligns itself with this statement.

Yesterday, during the 33rd formal meeting of the Fifth Committee, the European Union expressed its disappointment at the background of the adoption of draft resolution I, under agenda item 118, contained in document A/59/648. We reiterate that the European Union does not accept that recommendations of the Office of Internal Oversight Services should be endorsed by the General Assembly.

The European Union does not see resolution 59/271 as changing in any way the current practice with regard to implementing recommendations of the Office.

Mr. Kennedy (United States of America): My delegation strongly associates itself with the statement made by the representative of the Netherlands on behalf of the European Union and Switzerland.

The President (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 119.

Agenda item 121

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Report of the Fifth Committee (A/59/603)

The President (*spoke in French*): The General Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 59/274).

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 121.

Agenda item 122

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Report of the Fifth Committee (A/59/604)

The President (*spoke in French*): The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 59/275).

The President (*spoke in French*): The General Assembly has thus concluded this stage of its consideration of agenda item 122.

Agenda item 109 (*continued*)

Programme planning

Report of the Fifth Committee (A/59/651)

The President (*spoke in French*): The General Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 9 of its report.

I give the floor to the representative of Cuba, who wishes to speak in explanation of position before a decision is taken on the draft resolution.

Mr. Cumberbach Miguén (Cuba) (*spoke in Spanish*): Before the General Assembly takes action on the draft resolution before it, my delegation wishes to state its position on the document that is to be adopted as programme 19 of the strategic framework for the biennium 2006-2007.

First of all, Cuba is astonished that a serious debate on this issue was prevented in the context of the work of the Commission on Human Rights, and that there were intentional delays in negotiations both in the Committee for Programme and Coordination and in the General Assembly. It is inexplicable that a group of delegations refused to alter even a comma in the Secretariat text, despite the first version's obvious violations of the guidelines for the drafting of such documents.

The biennial programmes do not give rise to legislative mandates. They should be formulated solely on the basis of the set of resolutions adopted by the various competent bodies of the United Nations system. Moreover, they should address the work of the Secretariat, not the work of Member States.

It is therefore alarming that, in the medium-term plan for the period 2002-2005, the authors of the original document completely ignored the language agreed upon on an intergovernmental basis. With regard to section A of subprogramme 1, the idea of using the strategic framework in order to change legislative mandates is cause for particular concern. We would like to place on record our reservations in that regard, and to say that we will continue to closely follow the implementation of that subprogramme. The promotion and protection of human rights should not be used as a tool to interfere in the internal affairs of the States Members of the Organization. Nor should attempts be made to rewrite the original mandate set out for the funds and programmes of the United Nations, either through a biased interpretation of the

implementation of the whole host of human rights or by linking them to the activities undertaken by the various bodies of the Organization.

Such a distortion of the debates on issues pertaining to human rights only confirms the current trend whereby developed countries are hijacking many aspects of the work of the Organization in this area in an attempt to serve their own political interests, thereby obliterating any semblance of non-selectivity, impartiality and objectivity in the workings of the United Nations human rights machinery. That only serves to produce further confrontation between developing and developed countries and to minimize progress towards true protection and promotion of human rights for all at all levels. In so doing, the United Nations would be going along with the role of judge in matters pertaining to human rights issues that some Member States have bestowed upon themselves while fully ignoring their own particular problems or those of their allies. None of that contributes to restoring the prestige being lost by United Nations bodies working in the field of human rights, starting with the Commission on Human Rights itself.

Our delegation will work to ensure that the next United Nations goal-setting cycle in the area of human rights is as open and democratic as called for by the subject. We will also firmly oppose any recurrence of the situation we encountered this year.

The President (*spoke in French*): The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 9 of its report. The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 59/276).

The President (*spoke in French*): The General Assembly has thus concluded this stage of its consideration of agenda item 109.

Agenda item 108 (*continued*)

Programme budget for the biennium 2004-2005

Report of the Fifth Committee (A/59/448/Add.2)

The President (*spoke in French*): The Assembly has before it two draft resolutions recommended by the Fifth Committee in paragraph 41 of its report, and two draft decisions recommended by the Committee in paragraph 42 of the same report. The Assembly will now take a decision on draft resolutions I and II and on draft decisions I and II. We turn first to draft resolution I, entitled "Questions relating to the programme budget for the biennium 2004-2005". The Fifth Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 59/277).

The President (*spoke in French*): We turn next to draft resolution II, entitled "Programme budget for the biennium 2004-2005". The Fifth Committee adopted draft resolution II without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 59/278).

The President (*spoke in French*): We turn next to draft decision I, entitled "Programme budget implications of recommendations contained in the report of the Committee for Programme and Coordination". The Fifth Committee adopted draft decision I without a vote. May I take it that the Assembly wishes to do the same?

Draft decision I was adopted.

The President (*spoke in French*): Draft decision II is entitled "Revised estimates and programme budget implications: effects of changes in rates of exchange and inflation". The Fifth Committee adopted draft decision II without a vote. May I take it that the Assembly wishes to do the same?

Draft decision II was adopted.

The President (*spoke in French*): I now call on the representatives who wish to speak in explanation of position on the decisions just taken.

Ms. Goicochea Estenoz (Cuba) (*spoke in Spanish*): My delegation would like to comment on resolution 59/277, as it pertains to special political missions. My delegation attaches the utmost importance to that resolution. We would especially like to emphasize the importance we attach to the paragraphs regarding the need to ensure that the Security Council takes full account of the prerogatives of the General Assembly when it takes decisions on special political missions. The delegation of Cuba believes it essential that the Security Council refrain from in any way interfering in matters falling under the purview of the General Assembly when it comes to approving special political missions. My delegation

also believes that that will undoubtedly facilitate the decision-taking process in the General Assembly.

We therefore eagerly await the draft budget for special political missions to be presented by the Secretary-General at the sixtieth session of the General Assembly. In particular, we look forward to a review and revision of the structure of the Counter-Terrorism Committee Executive Directorate, which my delegation believes should be streamlined and rationalized in line with the nature of the Directorate's work.

Mr. Elji (Syrian Arab Republic) (*spoke in Arabic*): I would just like to note that the Arabic version of the draft resolutions just adopted did not take into account the oral revisions made in the Fifth Committee. I request that those revisions be included in the final documents.

The President (*spoke in French*): We have taken note of the comments made by the representative of the Syrian Arab Republic. The necessary corrections will be made.

The General Assembly has thus concluded the present stage of its consideration of agenda item 108.

Agenda item 107

Review of the efficiency of the administrative and financial functioning of the United Nations

Report of the Fifth Committee (A/59/652)

The President (*spoke in French*): The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 9 of its report, and a draft decision recommended by the Committee in paragraph 10 of the same report.

We will now take a decision on the draft resolution and on the draft decision.

The draft resolution is entitled "Proposed programme budget outline for the biennium 2006-2007". The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 59/279).

The President (*spoke in French*): The draft decision is entitled "Questions deferred for future consideration". The Fifth Committee adopted the draft decision without a vote. May I take it that the Assembly wishes to do likewise?

The draft decision was adopted.

The President (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 107.

I give the floor to those representatives who wish to make statements after the Assembly's consideration of the reports of the Fifth Committee.

Mr. Al-Ansari (Qatar): I have the honour to speak today on behalf of the Group of 77 and China. The Group of 77 and China attaches the greatest importance to all the issues considered by the Fifth Committee, recommendations on which have been approved today by the General Assembly. In particular, the Group would like to highlight some of those issues. It should be understood that addressing only some of our decisions does not imply that others not highlighted are of any lesser importance.

The Group of 77 and China stresses that the Secretary-General should present the proposed programme budget for the biennium 2006-2007, in a form fully reflecting the priorities just approved by the General Assembly. Particular attention should be given to programmes and activities related to social and economic development. In this context, the Group of 77 and China emphasize the crucial importance of the implementation of the right to development and reaffirm the validity of the Declaration on the Right to Development. The Group hopes that the implementation of any efficiency measure will not impact negatively on mandated programmes and activities.

The Group looks forward to the full implementation of resolution 59/267, on human resources management, in particular the results and findings of the recommendations of the Board of Auditors on the audit on the implementation of application of the principle of geographical representation at all levels. Furthermore, we reiterate the necessity of ensuring that women from developing countries are accorded equal opportunity in the recruitment process, and we look forward to the full implementation of the relevant paragraphs in that context.

On the question of programme budget implications, the Group regrets that the General Assembly did not approve at this stage either a subvention or a payment for the rental and maintenance costs of the United Nations Institute for Training and Research. The Group will address this issue

comprehensively during the sixtieth session of the General Assembly in the context of the proposed programme budget for the biennium 2006-2007.

Concerning the Office of Internal Oversight Services, the Group reiterates its full support to the role of that Office. The Group of 77 and China recognize the primary role of the General Assembly in the consideration of and action on the reports submitted to it, as reflected in paragraph 4 of resolution 59/273.

Finally, the Group of 77 and China would like to state that, in general, although they have small delegations, they endeavoured to participate actively at all levels of the negotiation process, whether at "informal informals" or in informal consultations.

This session was exceptional with regard to its workload. The Group of 77 and China delegations negotiated under the pressure of time and in very stressful situations, and often showed maximum flexibility to take on board the concerns of other delegations. The Group wishes to emphasize that all the negotiations were held in a very open, transparent and friendly atmosphere and in good faith.

Furthermore, the Group emphasizes the need for building further confidence among all negotiating partners and ensuring respect for each other's position; we look forward to continuing this partnership in our future interactions.

Ms. Udo (Nigeria): The Nigerian delegation, as coordinator for one of the agenda items the Chairman of the Group of 77 and China has just addressed — agenda item 118, on the Office of Internal Oversight Services — feels obliged to make this statement to address some issues that were raised during the Fifth Committee's meeting yesterday, 22 December 2004.

Nigeria views with absolute seriousness, dedication and integrity any assignment conferred upon it. It was in that same spirit that we approached the responsibility of coordinating the Committee's work on agenda item 118, "Report of the Secretary-General on the activities of the Office of Internal Oversight Services". As the coordinator, Nigeria, to the best of its ability, remained totally neutral all through the discussions and the ensuing negotiations on the item.

Furthermore, we truthfully and seriously reflected the wishes of the Fifth Committee, as expressed by all who participated in the negotiations. The draft text on this item, dated 6 December, contained in its paragraph 10 the words "endorses the applicable recommendation of OIOS". The Fifth Committee amended "applicable" to "relevant". The final text of the resolution, dated 10 December 2004, reflected this in its paragraph 7, which begins with the words as amended: "Endorses the relevant recommendation of the Office". It was therefore with utmost shock and disappointment that we heard some comments to the effect that some delegations — which, as the coordinator on this item, we can confirm never missed a meeting on this item — did not know how some words had "crept into" the text of the draft resolution.

As we stated yesterday, Nigeria presented to the General Assembly for adoption the draft text that the Fifth Committee, acting on behalf of the General Assembly, had approved and adopted. We deeply regret the fact that our work on this agenda item, which was conducted in a most cordial atmosphere, was concluded in a most unfortunate manner, with unguarded, unfair and unwarranted statements by some delegations.

Nigeria wishes to seize this opportunity to once more express our appreciation to the Chairman of the Fifth Committee and to those delegations that spoke to commend us on the way we conducted the negotiations — as well as to those who spoke to reject the unhealthy development that the Fifth Committee witnessed yesterday.

It is our sincere hope that we will not witness such an incident again, as incidents of that kind do not in any way augur well for the work of this Organization.

Mr. Kennedy (United States of America): As this session of the Fifth Committee ends, my delegation would like to take this opportunity to thank the Chair of the Fifth Committee, the Permanent Representative of New Zealand, for his efforts. I would also like to express our appreciation for the excellent work of the Committee staff. Lastly, we appreciate the continuing exemplary support that the Committee has received from the Controller's office. Since we have now learned that this will be the last Fifth Committee effort for Jean-Pierre Halbwachs, his years of distinguished service to the United Nations must also be acknowledged.

The President (*spoke in French*): The General Assembly has thus concluded its consideration of all the reports of the Fifth Committee before it.

Programme of work

The President (*spoke in French*): Apart from organizational matters and items that may have to be considered by operation of the rules of procedure of the General Assembly, and bearing in mind the consideration and action already taken by the Assembly on items, I should like to propose that the following agenda items remain for consideration during the fifty-ninth session of the General Assembly: 3 (b), 4 to 6, 10 to 12, 15 (c), 17 (h), (i) and (j), 19, 20, 24, 26, 27, 36, 37, 40, 43, 45, 48, 52 to 55, 56 (g), 56 (n), 75, 77, 84, 85 (b), 105 (b), 106 to 137, 146, 148, 150, 153 to 156, 158 and 163.

May I take it that it is the wish of the General Assembly that those agenda items should remain for consideration during the fifty-ninth session of the Assembly?

It was so decided.

Statement by the President

The President (*spoke in French*): We have come to the end of the first phase of our work, a very busy but a productive period, when the General Assembly considered many agenda items. In particular, 279 resolutions were adopted, 208 of them by consensus. Before suspending the proceedings at this stage, let me just make a few brief observations on the progress achieved and on our work ahead.

Among all the items that we took up, three major items characterize this first phase: continuing the process of the revitalization of the work of the General Assembly; publication of the report of the High-level Panel on Threats, Challenges and Change (A/59/565); and preparations for the high-level plenary meeting of the General Assembly, to be held in September 2005. On 17 December, by consensus, we adopted resolution 59/145, on the organizational modalities for that event. Those three items exemplify our general thinking on reform, indeed, our thinking on the Organization's capacity to adapt to the challenges of our time.

During the general debate, our leaders reaffirmed, inter alia, the need to reform the United Nations system. That augurs well, because the present reform process, if it is to succeed, must be supported by genuine political will. In fact, as the report of the High-level Panel has emphasized, and I concur, our institutions "will still only be as strong as the energy, resources and attention devoted to them by Member States and their leaders" (*A/59/565, report, part four, synopsis*).

With respect to the revitalization of the work of the General Assembly, I welcome the progress that has been made. In addition to what we did during the fifty-eighth session, we have also made some tremendous efforts, in terms both of content and of the rationalization of our programme of work.

We have undertaken implementation of resolutions 58/126 and 58/316, concerning the revitalization of the work of the General Assembly. The role of the General Committee grew during the first part of the fifty-ninth session. There were informal meetings to consider working methods, the revitalization of the Assembly and the preparation of the high-level plenary meeting to be held in 2005. Other informal meetings were held on the New Partnership for Africa's Development, on children and armed conflict and on humanitarian assistance.

In conformity with those two resolutions, the Main Commissions got down to rationalizing their programmes of work and their agendas. How could we fail to appreciate all the progress made towards restoring the authority and the central role of the General Assembly as a universal institution? Contrary to the common, but false, image of an impotent General Assembly, the work of women and men on a daily basis shows that the General Assembly is a dynamic institution indeed. Its decisions, while less spectacular, have for more than half a century fashioned the international order and will continue to transform our respective nations.

A major element of the success of the revitalization process is the shared conviction of all Member States of the indispensable nature of the General Assembly. The Assembly remains the sole legitimate framework where all the nations of the world can express their aspirations. It makes a strong contribution to remoulding the face of the United Nations, giving it a little more radiance and credibility — even though it is true that much remains to be done for us to live up to all our noble responsibilities under the Charter. In order to pursue the revitalization of the Assembly, I am counting on the support and assistance of all. As members know, I have appointed five facilitators who will be coordinating our collective efforts: the Permanent Representatives of Costa Rica, the Czech Republic, Kenya, Singapore and Sweden. I have no doubt that

they will be up to the task, and I urge members to support them.

The report of the High-level Panel on Threats, Challenges and Change is also a major contribution towards the objective of adapting the United Nations to the realities of the twenty-first century. Once again, I must congratulate the Secretary-General, Mr. Kofi Annan, who took the welcome initiative to write a report containing courageous proposals. Our consultations on the report, to be held in January, should enable us to provide appropriate responses to the great concerns of the day. We will also have to explore the recommendations of the Millennium Project report, under the guidance of Mr. Jeffrey Sachs, whose publication is scheduled for 17 January 2005. As I indicated in the road map that I submitted to members yesterday, Wednesday, 22 December 2004, the release of the Secretary-General's comprehensive report, which is expected in March 2005, will be the starting point for substantive consultations with an eye to the high-level plenary meeting in September 2005.

If we want to ensure genuine collective security; if we want to eradicate poverty; if we want to put an end to deadly pandemics, particularly HIV/AIDS and malaria; if we want to eradicate war, transnational crime, famine and environmental degradation — in short, if we truly want to build a model society for future generations, we must go beyond statements of principle and do our utmost to live up to our commitments, particularly in the social and economic fields. When we return in January 2005, we must therefore redouble our fervour to work to find concrete and appropriate solutions to the problems facing the United Nations.

We must advance the ongoing reform process in this crucial period in the Organization's history. In that regard, we must also make every effort to follow the road map so that we can prepare for the high-level plenary meeting to the best of our ability. By working together to prepare well for that very important September 2005 meeting, we will greatly help to bring about the changes so much needed by the Organization. We will thus provide the means to better meet the legitimate expectations of the world's peoples for more peace, justice, freedom and solidarity.

Before concluding, I should like once again to take this opportunity to congratulate all delegations on their valuable contributions to the formulation and adoption by consensus of resolution 59/145, which enables us to plan now for the events of 2005 with a greater sense of calm. I should also like once again to sincerely thank the members of the Secretariat, particularly Mr. Jian Chen, Under-Secretary-General for General Assembly and Conference Management, and his Department for the inestimable support that they have consistently given me since I took office.

Finally, I wish everyone all the best and a pleasant vacation.

The meeting rose at 7.15 p.m.